

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,        )  
  )  
Plaintiff,                         )  
  )  
vs.                                 )                                      **Case No. 21-CR-30050-DWD**  
                                       )  
                                       )  
KRISTA N. BRENNER,                )  
                                       )  
Defendant.                         )

**MEMORANDUM AND ORDER**

Pending before the Court is the United States of America's Motion to Dismiss the Indictment as to Defendant Krista N. Brenner (Doc. 19). On April 21, 2021, a grand jury returned an indictment charging Brenner with two counts of obtaining a controlled substance by misrepresentation, fraud, and deception pursuant to 21 U.S.C. § 843(a)(3) (Docs. 1 & 2). On or about August 3, 2021, Defendant entered into a Pretrial Diversion Agreement with the United States in which Defendant acknowledged responsibility for the charged offenses and agreed to an eighteen-month program of supervision by the Probation Office and in which the United States agreed to dismiss the pending indictment upon the Defendant's successful completion of the program (Doc. 17).

The Government's motion to dismiss indicates Brenner has fully complied with the terms of her pretrial diversion during the past 18 months. Accordingly, the United States moves to dismiss the indictment in this matter. Under Federal Rule of Criminal Procedure 48(a), "[t]he government may, with leave of court, dismiss an indictment . . .

." FED. R. CRIM. P. 48(a). Because Brenner has complied with all requirements of the Pretrial Diversion Agreement, the Court **GRANTS** the motion to dismiss (Doc. 19). The indictment (Doc. 1) is **DISMISSED** with prejudice. The Clerk of Court is **DIRECTED** to close this case. The Court commends Ms. Brenner for successfully completing her term of diversion and wishes her the best in her future endeavors.

**IT IS SO ORDERED.**

Dated: February 7, 2023



DAVID W. DUGAN  
United States District Judge